

REMARKS

In the July 15, 2004 Office Action, the Examiner noted that claims 1-29 were pending in the application; objected to claim 16 under 37 CFR § 1.75(c); rejected claims 23-25 under the second paragraph of 35 USC § 112; and rejected claims 1-29 under 35 USC § 102(b). In rejecting the claims, the Examiner cited an article by the inventors allegedly published June 26, 1998. Claims 1-29 remain in the case. The Examiner's rejections are traversed below.

Objection under 37 CFR § 1.75(c)

In item 5 on page 2 of the Office Action, the Examiner objected to claim 16 under 37 CFR § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 15 has been amended to more clearly recite the limitations intended to be claimed therein and claim 16 has been amended to correct grammatical errors. As a result of the amendments to claim 15, it is submitted that claim 16 meets the requirements of 37 CFR § 1.75(c). Withdrawal of the objection is respectfully requested.

Rejections under 35 USC § 112, Second Paragraph

In paragraphs 7-9 on page 3 of the Office Action, claims 23-25 were rejected under the second paragraph of 35 USC § 112 because there were two periods in claim 23. The text following the first period in claim 23 has been deleted and therefore, it is submitted that claims 23-25 meet the requirements of 35 USC § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

Rejections under 35 USC § 102(b)

In items 11 and 12 on pages 3-14 of the Office Action, claims 1-29 were rejected under 35 USC § 102(b) as anticipated by an article of the inventors allegedly published June 26, 1998. It is assumed that the date of publication cited by the Examiner is based on the Information Disclosure Statement filed April 16, 2001. However, this date is incorrect. Submitted herewith is a Supplemental Information Disclosure Statement with a corrected form PTO-1449 and the first page of the article as published, together with the title page of the publication in which the article appeared and a page in the Table of Contents referencing the article. As indicated in these documents, the article used to reject the claims was published on June 26, 2000.

Since the application was filed March 27, 2001 and the authors of the article are the inventors of this application, the article is not prior art. Therefore, withdrawal of the rejection under 35 USC § 102(b) is respectfully requested.

Summary

It is submitted that the references cited in the July 15, 2004 Office Action do not include prior art that teaches or suggests the present claimed invention. Thus, it is submitted that claims 1-29 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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